

selecting programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement;

allocating bandwidth to the categories from whence the selected programs correspond.

61. (Amended) A computer assisted packaging system for generating program control information, packaging programs and for allocating bandwidth to a plurality of programs comprising:

C3 a multiplexer for receiving at least one program signal and at least one program control signal and for allocating a portion of segments of bandwidth to selected programs;

a delivery control processor unit connected to said multiplexer, whereby said program signals and said program control signals are multiplexed by said multiplexer; and

a central processing unit connected to said delivery control processor unit, whereby said delivery control processor unit receives commands from said central processing unit.

Cancel claims 3, 26 and 27 without prejudice or disclaimer.

REMARKS

Claims 1-158 are pending. By this amendment, claims 1, 53 and 61 are amended. No new matter is introduced. The amendments to the claims find support in the claims and specification as originally filed. Reconsideration and allowance of the claims in view of the above-amendments and the remarks that follow are respectfully requested.

Applicants thank Examiner Grant for indicating that claims 8-25, 27-52 and 72-158 are allowed and for indicating that claims 3 and 57-60 would be allowable if rewritten in independent form including all of the limitations of the base claims and intervening claims.

Applicants also thank Examiner Grant for the courtesies extended to the Applicants' representatives, John Harrop and Sung Kim, during an April 24, 2002 personal interview. The substance of the interview is incorporated in the remarks that follow.

On page 2 the Office Action rejects claims 26 and 61-71 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 61 has been amended to comply with 35 U.S.C. § 112, second paragraph and is in allowable form. Claims 62-71 depend from claim 61 and are, therefore, also allowable. Claim 26 has been cancelled.